

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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UNITED STATES OF AMERICA )

v. )

ROSS MCLELLAN, )

Defendant. )

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Criminal No. 16-10094-LTS

**GOVERNMENT’S RESPONSE TO DEFENDANT’S STATUS REPORT**

The government respectfully submits this response to the defendant’s most recent status report, in which he reiterates his request for a second continuance of the trial until a date in “early September.”

The government has previously advised defense counsel that undersigned government counsel are not available for a trial in early September. First, the government has advised the defendant that one of the undersigned counsel has a long planned, prepaid family reunion and vacation in August. The dates of that vacation are August 11 through August 22. The government respectfully submits that an early September trial would necessarily require that these plans, which involve family members traveling from out of state and abroad, be cancelled. Second, in addition to a trial on October 29, the other undersigned counsel has a trial in the Southern District of Texas on August 20 that is likely to last approximately one week.

The government further notes that the Jewish holidays are in September, including between September 9 and 11 and September 18 and 19.

Respectfully submitted,

SANDRA MOSER  
Acting Chief, Fraud Section  
Criminal Division

ANDREW E. LELLING  
UNITED STATES ATTORNEY

By: /s/ William E. Johnston  
WILLIAM E. JOHNSTON  
Trial Attorney

By: /s/ Stephen E. Frank  
STEPHEN E. FRANK  
Assistant U.S. Attorney

Date: May 1, 2018

**CERTIFICATE OF SERVICE**

I certify that on May 1, 2018, this document was filed through the ECF system, which will provide electronic notice to counsel as identified on the Notice of Electronic Filing.

/s/ Stephen E. Frank  
STEPHEN E. FRANK